



## Benefits

**Designation** as a Qualified Anti-Terrorism Technology (QATT) provides a seller with the following benefits in the event of legal action

- Liability is capped at the insurance requirement.
- Sellers are not liable for punitive damages or damages caused by others.
- Damages owed by sellers are reduced by amounts paid to claimants by others.
- All claims are heard in Federal Court.

**Certification** of a QATT as an Approved Product for Homeland Security allows a seller to assert the Government Contractor Defense, potentially eliminating liability for claims arising from acts of terrorism.



**Homeland  
Security**

## Applicant Protections

The Department of Homeland Security is committed to protecting proprietary information to the fullest extent of the law. In addition, application reviewers sign non-disclosure and confidentiality agreements for each application they review.

# Homeland Security



## More Information

Please contact the Office of SAFETY Act Implementation for assistance with any aspect of the application process.

Office of SAFETY Act Implementation  
Science and Technology Directorate  
245 Murray Lane, Building 410  
Washington, D.C. 20528

[www.safetyact.gov](http://www.safetyact.gov)

[helpdesk@safetyact.gov](mailto:helpdesk@safetyact.gov)

1-866-788-9318 (toll free)

# The SAFETY Act



## Support Anti-terrorism by Fostering Effective Technologies Act of 2002

## Liability Protection for Sellers of Anti-terrorism Technologies



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Security**

## What Is The SAFETY Act?

The SAFETY Act provides a system of risk and liability management to sellers of anti-terrorism technologies. Passed by Congress as part of the Homeland Security Act of 2002, the SAFETY Act encourages the development and deployment of anti-terrorism technologies by limiting liability from claims brought as a result of an act of terrorism.



## Eligibility

Technologies eligible for SAFETY Act protections include:

- Products,
- Equipment,
- Services (including support),
- Devices, and
- Information Technologies.

The technologies must be intended to limit the harm that might result from acts of terrorism or to detect, identify, prevent, or deter such acts.

## Application Process

To apply for SAFETY Act Designation and Certification, sellers must complete an application, which can be found on the SAFETY Act Website, [www.safetyact.gov](http://www.safetyact.gov)

### Pre-Application Review

To get an indication of the likelihood that a technology will be considered for SAFETY Act benefits, a seller can submit a Pre-Application. Review of a Pre-Application takes 21 days and provides feedback to help a seller in preparing a Full Application. Submission of a Pre-Application is voluntary and has no bearing on the outcome of any Full Application.

### Full Application

A Full Application is required for a technology to receive Designation or Certification. Full Applications undergo a technical and economic evaluation before the Department of Homeland Security makes a decision. The following timelines apply:

- 30-day Completeness Check
- 90-day Technical and Economic Evaluation
- 30-day Decision



### Evaluation Criteria

An eligible technology is evaluated against statutory criteria to establish the following:

- Is it an anti-terrorism technology?
- Is it available, useful, and effective?
- What benefit does it provide the public?
- Does it need SAFETY Act protections to be deployed?

To be granted SAFETY Act Certification, the technology must also:

- Perform as intended,
- Conform to seller's specifications, and
- Be safe for use.

### Possible Outcomes

Not all technologies are granted SAFETY Act protections. Several outcomes are possible. Depending on the specifics of an application, the Department may:

- Grant SAFETY Act Designation and Certification,
- Grant Designation only,
- Request more information before making a final decision, or
- Reject the application (which does not preclude reapplication).